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*Patrick Robinson, Chair*  
*James Burkush*  
*Trixie Dysart*  
*Armand Forest*  
*Kathy Sullivan*

**CITY OF MANCHESTER**  
*Department of Public Works*  
*Environmental Protection Division*

December 30, 2021

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Subject: **CSO Consent Decree Civil Action No. 20-cv-762-SM**  
**Compliance Report No. 2 - July 1, 2021 to December 31, 2021**

Ladies and Gentlemen:

In accordance with the City of Manchester's CSO Consent Decree Civil Action No. 20-cv-762-SM, Section VII, Item No. 24, please find below for your review and approval the City of Manchester's compliance report for the time period July 1, 2021 to December 31, 2021.

**Summary**

The City is in compliance with all requirements of the consent decree. Activities are ongoing with eight of the 19 work items included in the Gantt Chart. The City is ahead of schedule with three of the

eight ongoing activities. No activities are behind schedule. The City continues to partner with NH-DES on all major consent decree projects. Below is our report on all ongoing consent decree activities.

#### **Gantt Chart Item No. 1 – WWTP Improvements**

The construction of the \$20 million WWTP Solids Train Upgrade Project is about 35% complete. Building modifications are about completed and equipment installation is has started. Final completion is scheduled for April 2023 which is about five months ahead of the Gantt Chart schedule. Representatives from NHDES have been attending all monthly progress meetings.

#### **Gantt Chart Item 2 – Program Assessment and Reporting**

This activity is ongoing with the submission of this semi-annual compliance report. These reports will continue twice annually until the completion date of the consent decree.

#### **Gantt Chart Item 3 – System Optimization and Real Time Control Study**

This project is ongoing with a draft Basis of Design Report submitted to the City in October. A final draft will be submitted to EPA/DES in early 2022 for review and approval. Report recommends a new flow control structure for Cemetery Brook be constructed along the banks of the Merrimack River adjacent to Fisher Cats Stadium. Design is scheduled for February 1, 2022 to August 1, 2023. Construction is scheduled for October 1, 2022 to April 1, 2023.

#### **Gantt Chart Item 4 - Evaluation of Closure of Inactive CSO Outfall**

The City contracted with CDM Smith to perform this study on February 10, 2020. The study was completed and submitted to EPA on March 25, 2021. EPA approved the study and its recommendations. The only CSO to be closed will be done at the conclusion of the Christian Brook construction activities.

#### **Gantt Chart Item 5 – Cemetery Brook Drain Basis of Design Report**

This project is ongoing with a draft Basis of Design Report submitted to the City in November. A final draft will be submitted to EPA/DES in early 2022 for review and approval. A Draft Feasibility Study was submitted to the City in June and recommended “tunneling” construction as opposed to the “open-cut” construction that was presented in the City’s CSO Long-term Control Plan. The City is in agreement with the tunneling recommendation because it is the most cost-effective, reduces the overall schedule, greatly reduces utility conflicts, and minimizes negative impacts to residents of Manchester. The proposed tunnel will be 2-mile long 12-foot interior diameter tunnel that will be 30 to 80 feet deep. Tunneling will impact the Gantt Chart Items 6, 7, 8, and 9 because it will now be bid as a single contract instead of the four contracts presented in the schedule. The tunneling construction method is estimated to reduce the total duration of items 6, 7, 8, and 9 from 13 years to fewer than 7 years. All impacts from tunneling will be detailed in the Basis of Design Report. This project is six months ahead of schedule. Representatives from NHDES have been attending all monthly progress meetings.

### **Gantt Chart Item 16 – Christian Brook Main Drain**

The City completed the design of the Christian Brook Main Drain in October 11 months ahead of schedule. The project was bid on December 7<sup>th</sup> and low bidder was P. Gioioso & Sons, Inc. at \$12.12 million. A construction contract will be executed in early 2022 and a *Notice to Proceed* with construction is scheduled to be issued February 8, 2022. This is about seven months ahead of the Gantt Chart schedule. Representatives from NHDES have been attending all monthly progress meetings.

### **Gantt Chart Item 17 – Christian Brook Laterals**

The City has selected Kleinfelder to provide engineering services for the design of the Christian Brook – Laterals. Contract negotiations are ongoing and design activities will start in early 2022.

### **Gantt Chart Item 18 - CSO Discharge and Notification program**

The executed a nine-year contract with Flow Assessment Services, Inc. (FAS) to provide CSO discharge and notification services. FAS's services will follow the revised scope of work approved by EPA on July 15, 2021. All equipment for monitoring and reporting CSO discharge and notification has been installed and testing is ongoing. The notification program is scheduled to be completed and go "live" in early 2022.

In addition under Gantt Chart Item 18, as specified in the consent decree under item VI-Compliance Requirements, D-Nine Minimum Controls, Sub-item 15a, the City completed a CSO sign program installing 28 signs on both the shore and river sides of 14 outfalls. The signs are posted in English and Spanish. Next spring the City will be enhancing four high profile sign sites by adding kiosks as part of our ongoing environmental awareness public information campaign. Please see sign installation photos on Attachment B.

### **Consent Decree Certification**

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on the inquiry of the person or persons who manage the system, or those persons directly responsible for gathering information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violation.

If you have any questions regarding the above compliance report, or require any additional information, please feel free to contact us at your convenience.

Thank you,

A handwritten signature in blue ink, reading "F. J. McNeill". The signature is stylized, with a large "F" and "J" and a cursive "McNeill".

Frederick J. McNeill, P.E.  
Chief Engineer

Attachments:



## Attachment A – WWTP Construction

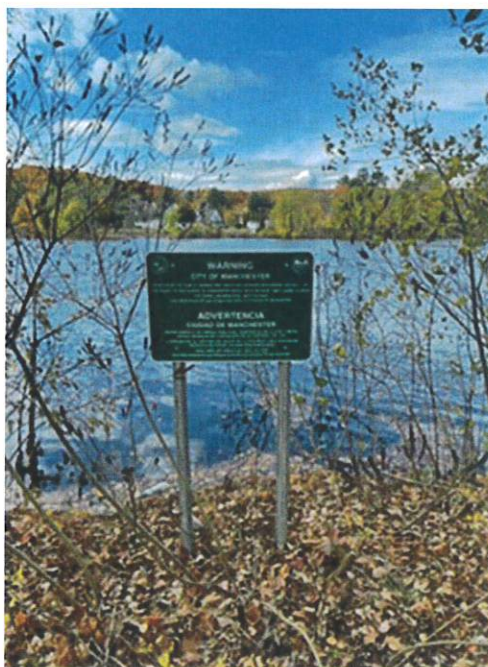


Concrete Placement – 2<sup>nd</sup> Floor Pump Room

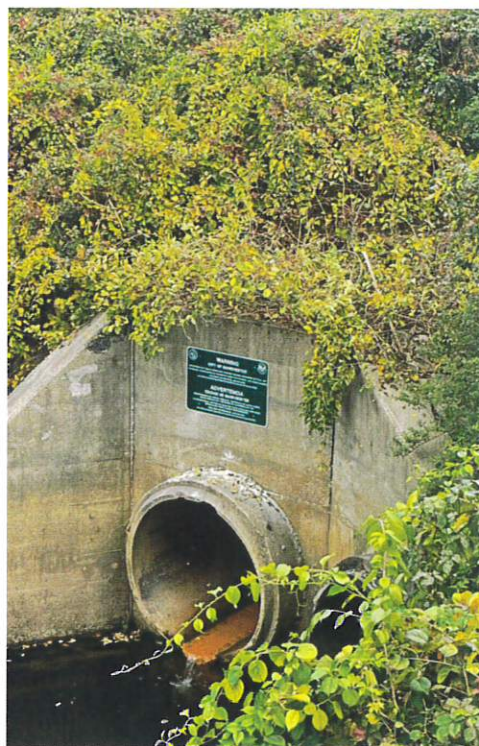


Sludge Silo Installation

## Attachment B - CSO Signage



CSO Outfall 031 – Shore Side



CSO Outfall No. 047 – River Side